



Land Use Task Force Update for the Political Subdivisions Interim Committee

October 17, 2018



Who we are and what we do



- Participants include Utah Realtors Association, Utah Homebuilders Association, private developers, city staff (planners, lawyers, managers), and the Office of Property Rights Ombudsman.
- This interim, we have met jointly 10 times to discuss land use issues including subdivision code revisions, bonding for infrastructure, referenda, and impact fees.

2019 consensus items

- **Proposed changes to 13-43-206**
 - Property Rights Ombudsman statute – modifies the attorneys’ fees provision by clarifying that if the dispute results in the issuance of an OPR advisory opinion, and that issue is later litigated on the same facts and results in decision consistent with the advisory opinion, the prevailing party may collect reasonable fees and costs accrued from the date of the OPR opinion to the court decision.
- **Bonding for infrastructure**
 - Clarifies the term “infrastructure improvement”; requires a city to accept two forms of assurance; prohibits a city from requiring an applicant to bond for infrastructure improvements that are not essential to meet code or that the city is requiring to be kept private.

Continuing discussions

- Impact fees (in the context of the Commission on Housing Affordability)
 - “safe harbors” concept
 - Increased timelines for spending on certain projects
- Other changes to the land use code
 - Boundary line adjustments
 - Some clarifications, some traditional sticking points
- Referenda

Contact us



Rachel Otto

801.835.8763

rotto@ulct.org

Mike Ostermiller

801.710.8669

mike@nwaor.com

